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PTO/SB/21 (09-04)

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TRANSMITTAL  
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

167

Application Number	10/597,099
Filing Date	July 11, 2006
First Named Inventor	HARDER et al.
Art Unit	TBA
Examiner Name	TBA

Attorney Docket Number

149459.00003

## ENCLOSURES (Check all that apply)

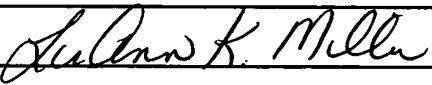
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> PTO/SB/08A (3 pages)
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	<input type="checkbox"/> References and Search Report (157 pages)
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> Postcard
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Powell Goldstein LLP		
Signature			
Printed name	Jason A. Bernstein		
Date	August 15, 2006	Reg. No.	31,236

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	LuAnn K. Miller	Date	8-15-2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

HARDER et al.

Appln. No.: 10/597,099

Filed: July 11, 2006

Title: IMPLANT FOR RELEASING AN ACTIVE SUBSTANCE INTO A VESSEL THROUGH WHICH A BODY MEDIUM FLOWS



Confirmation No.: 6020

Group Art Unit: TBA

Examiner: TBA

Atty. Docket No.: 149459.00003

Customer ID 25207

## INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

The citation of information on the attached Form PTO/SB/08A and/or PTO/SB/08B Information Disclosure Statement by Applicant(s), is made pursuant to 37 CFR 1.56 and 1.97.

Pursuant to 37 C.F.R. 1.97(b), this Information Disclosure Statement is being filed:

- Within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d).
- Within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application.
- Before the mailing of a first Office action on the merits.
- Before the mailing of a first Office action after the filing of a request for continued examination under 37 CFR 1.114.
- Pursuant to 37 CFR 1.97(c), this Information Disclosure Statement is being filed after the period specified in 1.97(b), but before the mailing date of a final action under 37 CFR 1.113, a notice of allowance under 37 CFR 1.311, or an action that otherwise closes prosecution in the application.
- A statement under 37 CFR 1.97(e) is below, or
- Applicant(s) enclose the fee set forth in 37 CFR. 1.17(p)

- Pursuant to 37 CFR 1.97(d), Applicant(s) make the following certification:
  - Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
  - No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
- and
- Applicant(s) enclose the fee set forth in 37 CFR 1.17(p).
- Pursuant to 37 CFR 1.97(e), this Information Disclosure Statement is being filed on or before payment of the issue fee and is accompanied by the following statement pursuant to 37 CFR 1.97(e):
  - Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
  - No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

- Pursuant to M.P.E.P. Section 609C(1), this Information Disclosure Statement is being filed before the payment of an issue fee, but without the certification and fee set forth in 37 CFR 1.97(d). Applicants respectfully request that this Information Disclosure Statement be placed in the file of the instant application. Applicants also note that the references cited in this Information Disclosure Statement were submitted in the parent application to which this application claims priority.

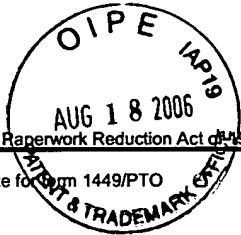
The Director is hereby authorized to charge any fees which may be required, or credit any overpayments to Deposit Account 50-1429. I have enclosed a duplicate of this sheet.

Respectfully submitted,



\_\_\_\_\_  
Jason A. Bernstein  
Reg. No. 31,236

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PTO/SB/08A (07-05)

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~~Substitute for Form 1449/PTO~~

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

**(Use as many sheets as necessary)**

Sheet 1 of 3

<i><b>Complete if Known</b></i>	
Application Number	10/597,099
Filing Date	July 11, 2006
First Named Inventor	HARDER et al.
Art Unit	TBA
Examiner Name	TBA
Attorney Docket Number	149459.00003

## **U. S. PATENT DOCUMENTS**

## **FOREIGN PATENT DOCUMENTS**

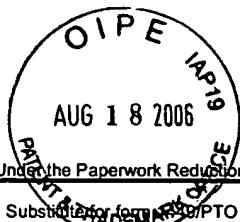
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T
		Country Code <sup>3</sup> "Number <sup>4</sup> "Kind Code <sup>5</sup> (if known)				
	A	DE10163106A1 (Engl abstr)	07-10-2003	Univ Hannover		
	B	DE10237571A1 (Engl abstr)	02-26-2004	Biotronik GmbH		
	C	DE10253634A1 (Engl abstr)	05-27-2004	Biotronik GmbH		
	D	DE19731021A1 (Engl abstr)	01-21-1999	Meyer		
	E	DE19945049A1 (Engl abstr)	03-22-2001	Meyer et al.		
	F	EP 0 604 022 A1	06-29-1994	Advanced Cardiovascular		

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

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Sheet 2 of 3

<b>Complete if Known</b>	
Application Number	10/597,099
Filing Date	July 11, 2006
First Named Inventor	HARDER et al.
Art Unit	TBA
Examiner Name	TBA
Attorney Docket Number	149459.00003

## **U. S. PATENT DOCUMENTS**

## **FOREIGN PATENT DOCUMENTS**

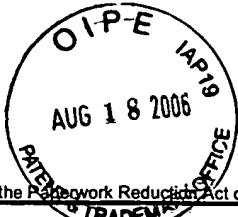
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>8</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
	G	EP 0875 218 B1	11-04-1998	Advanced Cardiovascular		
	H	EP1270023B1 (Engl abstr)	01-02-2003	Meyer et al.		
	I	EP 1 310 266 A1	05-14-2003	St. Jude Medical, Inc.		
	J	EP1389472A2 (Engl abstr)	02-18-2004	Biotronik GmbH		
	K	EP1419793B1 (Engl abstr)	05-19-2004	Biotronik AG		
	L	WO 02/26109 A2	04-04-2002	Endovasc Ltd., Inc.		

Examiner Signature		Date Considered	
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## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

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Sheet 3 of 3

Complete if Known	
Application Number	10/597,099
Filing Date	July 11, 2006
First Named Inventor	HARDER et al.
Art Unit	TBA
Examiner Name	TBA
Attorney Docket Number	149459.00003

## **U. S. PATENT DOCUMENTS**

## **FOREIGN PATENT DOCUMENTS**

Examiner Signature		Date Considered	
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